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FEE TRANSMITTAL for FY 2007

Effective 2/8/2006. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,680

Complete if Known

Application Number 10/712,018
Filing Date November 14, 2003
First Named Inventor Neil H. PUESTER et al.
Examiner Name Tracy Mae Dove
Art Unit 0745
Attorney Docket No. 9077-000001/US

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 08-0750

Deposit Account Name Harness, Dickey & Pierce, PLC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1011 | 300 | 2011 | 150 | Utility filing fee | |
| 1012 | 200 | 2012 | 100 | Design filing fee | |
| 1013 | 200 | 2013 | 100 | Plant filing fee | |
| 1014 | 300 | 2014 | 150 | Reissue filing fee | |
| 1005 | 200 | 2005 | 100 | Provisional filing fee | |

SUBTOTAL (1)

(\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | | Extra Claims | | Fee from below | | Fee Paid | |
|--------------|--------|--------------|---|----------------|--|----------|--|
| | | | | | | | |
| 24 | -37 ** | 0 | X | 50 | | 0 | |
| 4 | -3 ** | 1 | X | 200 | | 200 | |
| | | | | | | 0 | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 50 | 2202 | 25 | Claims in excess of 20 |
| 1201 | 200 | 2201 | 100 | Independent claims in excess of 3 |
| 1203 | 360 | 2203 | 180 | Multiple dependent claim, if not paid |
| 1204 | 200 | 2204 | 100 | ** Reissue independent claims over original patent |
| 1205 | 50 | 2205 | 25 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$200)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 120 | 2251 | 60 | Extension for reply within first month | 110 |
| 1252 | 450 | 2252 | 225 | Extension for reply within second month | |
| 1253 | 1020 | 2253 | 510 | Extension for reply within third month | |
| 1254 | 1,590 | 2254 | 795 | Extension for reply within fourth month | |
| 1255 | 2,160 | 2255 | 1080 | Extension for reply within fifth month | |
| 1401 | 500 | 2401 | 250 | Notice of Appeal | |
| 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal | |
| 1403 | 1000 | 2403 | 500 | Request for oral hearing | |
| 1452 | 500 | 2452 | 250 | Petition to revive - unavoidable | |
| 1453 | 1500 | 2453 | 750 | Petition to revive - unintentional | |
| 1462 | 400 | 1462 | 400 | Petition fee under 37 CFR 1.17(f) | |
| 1463 | 200 | 1463 | 200 | Petition fee under 37 CFR 1.17(g) | |
| 1464 | 130 | 1464 | 130 | Petition fee under 37 CFR 1.17(h) | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17 (q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 790 | 2809 | 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 790 | 2801 | 395 | Request for Continued Examination (RCE) | |

Other fee (specify) Petition Under 37 CFR § 1.78(a)(3)

1,370

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$1,480)

4. SEARCH/EXAMINATION FEES

| | | | | | |
|------|-----|------|-----|-------------------------|--------|
| 1111 | 500 | 2111 | 250 | Utility Search Fee | |
| 1112 | 100 | 2112 | 50 | Design Search Fee | |
| 1113 | 300 | 2113 | 150 | Plant Search Fee | |
| 1114 | 500 | 2114 | 250 | Reissue Search Fee | |
| 1311 | 200 | 2311 | 100 | Utility Examination Fee | |
| 1312 | 130 | 2312 | 65 | Design Examination Fee | 200.00 |
| 1313 | 160 | 2313 | 80 | Plant Examination Fee | 110.00 |
| 1314 | 600 | 2314 | 300 | Reissue Examination Fee | |

SUBTOTAL (4)

(\$0)

SUBMITTED BY

Name (Print/Type) John A. Castellano
Signature [Signature]
Registration No. (Attorney/Agent) 35,094
Telephone 703-668-8000
Date August 17, 2007

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/712,018
Filing Date: 11/14/2003
Applicant: Neil H. Puester
Group Art Unit: 1745
Examiner: Tracy Mae Dove
Title: GASKET, A BIPOLAR BATTERY AND A METHOD FOR
MANUFACTURING A BIPOLAR BATTERY WITH SUCH
A GASKET
Attorney Docket: 9077-000001/US

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
MAIL STOP PETITION

August 17, 2007

**PETITION UNDER 37 C.F.R. § 1.78 (a)(3) FOR
UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY**

Dear Sir:

Applicants respectfully petition in the present application under 37 CFR § 1.78(a)(3) for an unintentionally delayed claim for priority, claiming benefit to Application No. 10/434,168, filed May 9, 2003 (published as U.S. 2005/0260493, copy enclosed). Applicants submit that the present application is a continuation-in-part of Application No. 10/434,168.

Applicants respectfully submit that the delay in making this claim for priority, between the date the priority claim was due under 37 CFR § 1.78(a)(2)(ii) and the date the priority claim was actually filed as a continuation-in-part of U.S. Application No. 10/434,168, was unintentional.

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01 FC:1454 1370.00 OP

As required by 37 C.F.R. § 1.78, a surcharge of \$1,370.00 as set forth under 37 C.F.R. § 1.17(t) is included with this response. In addition, the present application has been amended to include a reference to U.S. Application No. 10/434,168 as required by 35 § U.S.C. 120 and paragraph 37 CFR § 1.78(a)(2). The amendment has been filed concurrently with this Petition, and a copy of the amendment is enclosed. Furthermore, the present application is co-pending with U.S. Application No. 10/434,168 and names at least one common inventor with U.S. Application No. 10/434,168.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner authorized in this, concurrent and future replies, to charge payment or credit any overpayment to deposit account number 08-0750 for any additional fees required 37 C.F.R. 1.16 or under 37 C.F.R. 1.17.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By  John A. Castellano, Reg. No. 35,094

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JAC/BGP/pw

Enclosure: Copy of U.S. Publication No. 2005/0260493
Copy of Amendment to include reference to U.S. Application No. 10/434,168